A FIFTH
Collection of Papers
Relating to the
Preſent Juncture of Affairs in *England.*

VIZ.

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Collection of Reports

Relating to the

Decline [illegible] of Affairs in England.

The hard Case of Protestant Subjects under the Dominion of a Popish Prince.

A Prince putting himself and his Dominions under the Authority of the *Pope*, and admitting (as he must unavoidably) the Laws and Decrees of the *Romish Church*, all his *Protestant* Subjects being, by the Judgment and Sentence of that Church, *Hereticks* (*a*), do forthwith lie under the Penalty which those Laws and Constitutions will have inflicted upon *Hereticks*; *Heresie* (*b*) being the highest degree of *High-Treason*, called therefore by them, *Læsa Crimen Majestatis Divinæ*: So the *English* Protestant must be a Traytor, and the worst of Traytors, and exposed to the Penalties of *High-Treason*.

The Laws and Decrees of the Romish *Church against* Hereticks.

Heresie (*c*) is denounced *Infamous*, and the *Heretick* must be dealt with as such; which is many Penalties in one.

First, Whereby they are deprived of all Nobility, Jurisdiction and Dignity, and debarred from all Offices, and publick Councils, *Parliaments* and others; being made uncapable of choosing, and being chosen: So that it reacheth all sorts (*d*) of Clergy, Laity, Noble and Ignoble; which is extended to their Children also. For, they say, *The Issue of Traytors, Civil and Spiritual, lose their Nobility*. And all that owe any Duty to such Infamous Persons, are discharged and exempted therefrom, as Subjects (*e*) from their *Prince*, Servants (*f*) from their *Masters*, Children (*g*) from their *Parents*, whom they also may lawfully kill.

(*a*) Distinct. 19. *cap.* a *Caus.* 25. *q.* 1. *cap.* 11. (*b*) Cap. Vergent. *de Hæretic.* (*c*) Cap. Infam. 6. *q.* 1. p. 297. (*d*) *Suar.* de Fide disp. 12. §. 9. *n.* 4. *l.* 2. *c.* 29. (*e*) Cap. de Hær. (*f*) *Azor.* Tom. 1. l. 8. c. 12. q. 7. (*g*) Cap. 2. Sext. fin. de Hær. in 6.

Whereby we may ſee a little, to what condition the Admiſſion of the *Papal* Authority would reduce us, expelling both Nature and Humanity, and making the deareſt Relatives unnatural and barbarous to one another; it would leave no *Proteſtant* either Dignity or Authority, either Safety or Liberty; Nobles are ſentenced to Peaſants, and Peaſants to Slaves.

Secondly, Another Penalty to which *Hereticks* are condemned by their Law, is *Confiſcation* of Goods and Eſtate; and this they incur *ipſo jure*, & *ipſo facto*; that is, immediately as ſoon as they ſhew themſelves *Hereticks*, before any legal Sentence have paſſed: For which there is an expreſs Decree in the Canon-Law; (*b*) *Bona Hæreticorum ipſo jure diſcernimus confiſcata*; We decree the Goods of *Hereticks* to be confiſcate by Sentence of Law. The Effects of this *Confiſcation*, wherein they all agree, makes the Severity of the *Law* apparent, *viz.* Firſt, All the Profits made of the Eſtate from the firſt day of their Guilt, is to be (*i*) refunded. Secondly, All Alienations (*k*) by Gift, Sale, or otherwiſe, before Sentence, are null and void; and all Contracts for that purpoſe (*l*) reſcinded. Thirdly, Children, Heirs of *Hereticks*, are deprived of their Portions; yea, tho they be *Papiſts*.

Whereby it appears, that as ſoon as the *Papacy* is admitted, all Title and Property is loſt and extinct among us: And therefore we muſt not think that *Pope* acted extravagantly, who declared, *That all his Majeſty's Territories were his own, as forfeited to the Holy See for the Hereſie of Prince and People.* Not only Abby-Lands are in danger, who ever poſſeſs them; but all Eſtates are forfeited to his Exchequer, and legally confiſcated: All is his own which *Proteſtants* in theſe three Nations have or ever had, if he can but meet with a Prince ſo wiſe as to help him to catch it; whoſe proceſs follows them beyond their Grave, and ruins their Children, and Children's Children after them. And when they have ſtrip'd the *Heretick* of his All, they provide that no other ſhall relieve him, viz. *That none ſhall receive him into their Houſes, nor afford him any Help, nor ſhew him any Favour, nor give him any Counſel.* We are here in *England* zealous for Property; and all the reaſon

(*b*) Cap. cum ſecundum Legis de Hær.. *Inno* III. cap. de Vergentis. (*i*) *Vaſq.* in *Suar.* diſp. 22. S. 4. n. 11. (*k*) S. 1. n. 5. (*l*) Cap. Vergent. de Hær.

reaſon in the World we ſhould ſo be: But we muſt bid adieu to this, when we once come under the *Pope*'s Authority; for as ſoon as this is admitted, *all the Proteſtants in theſe Nations are Beggars by Law, viz.* by the Laws of that Church, which will then be Ours, diveſting us of all Property and Title to whatever we account our own.

Thirdly, Another Penalty which their Law inflicts on *Hereticks*, is *Death* (*m*), which is the Sentence of the Canon-Law; and which is ſo abſolute, that no Secular Judg can remit, and which is the Judgment of all the Doctors, *Ita docent omnes Doctores:* And from which Penalty, neither *Emperors* nor *Kings* themſelves are to be freed or exempt. And the Death they inflict is *burning alive:* No Death more tolerable, or of leſs exquiſite Torture will ſatisfy the Mercy of that Church. The Canon ſaith thus; *Decernimus ut vivi in conſpectu hominum comburantur*; We decree, that they ſhall be *burnt alive* in the ſight of the World. So our laſt *Popiſh* Succeſſor, Queen *Mary*, practiſed upon near three hundred Perſons, without regard either to Age, Sex, or Quality: the *Scripture* they urge for it, is *John* 15. 6. (*n*) *If any one abide not in me, Men gather them and caſt them into the Fire, and they are burnt.*

So that as ſoon as the *Papal* Authority is admitted among us, all the *Proteſtants* in theſe Nations are dead Men in Law; being under a *Law* that hath ſentenced us to be *burnt alive*, and under a Power that hath *declared* it neceſſary that no one of us eſcape with Life.

Fourthly, Where legal Penalties cannot take place, by reaſon of oppoſite Strength, they hold War neceſſary, and lawful to chaſtiſe *Hereticks:* For which we might give you divers Authorities; (*o*) but let Cardinal *Allen*, our Country-man, ſuffice; who aſſerts it is not only lawful, but neceſſary: His words are theſe: *It is clear* (ſaith he) *what People or Perſons ſoever be declared to be oppoſite to GOD's Church, with what Obligation ſoever either of Kindred, Friendſhip, Loyalty, or Subjection I be bound unto them; I may, or rather muſt take up Arms a-*

(*m*) Cap. ad abolendum de Hær. *Suar.* Diſ. 23. Bul. *Urb.* 4. & *Inno.* 4. (*n*) Jac. de Gra. deciſ. *l.* 2. *c.* 9. *n.* 2. (*o*) Bonacina Diano. Caſtro Molanus, *&c.* Car. Allen. ad mon. *to* Nobl. & Peop. *p.* 41.

gainſt them; and then muſt we take them for Hereticks when our lawful Popes *adjudg them ſo to be. And which* (ſaith Cardinal *Pool*) *is a War more holy than that againſt the* Turks.

Fifthly, To deſtroy them by *Maſſacres* is ſometimes held more adviſeable than to run the hazard of *War*, and which (*they ſay*) is both lawful and meritorious, for the rooting out a Peſtilent Hereſy, and the promoting the Roman Intereſt. This ſet a-foot the *Iriſh* Maſſacre, that inhuman bloody Butchery, and ſo much from the Savageneſs and Cruelty of their Nature, as the Doctrines and Principles which directed and encouraged it; as alſo that of *Paris*, than which nothing was more grateful and acceptable to their *Popes*, as their (*p*) Bulls make manifeſt, and the picturing it in the *Pope*'s Chamber; and for which, as a moſt glorious Action, Triumphs were made, and publick Thankſgivings were returned to *God*. So in *Savoy*, and elſewhere, both in former and latter Times. And this was that which the late *Conſpirators* aimed at ſo fully intending a *Maſſacre*. *Thoſe that eſcaped a Maſſacre*, ſaith (*q*) *Dugdale*, *muſt be cut off by the Army*. And (*r*) *Coleman* tells the *Internuncio* in his Letters; *That their Deſign proſpered ſo well, that he doubted not in a little time, their Buſineſs would be managed to the utter Ruin of the* Proteſtant *Party: The effecting whereof was ſo deſirable and meritorious, that if he had a Sea of Blood, and an hundred Lives, he would loſe them all to carry on the Deſign. And if to effect this, it were neceſſary to deſtroy an hundred Heretical Kings, he would do it* (*s*). *Singleton* the Prieſt affirmed, "That he would "make no more to ſtab forty Parliament-Men, than to eat "his Dinner. *Gerard* and *Kelley*, to encourage *Pranee* to kill "Sir *E. B. G. told him*, It was no Murther, no Sin, and that "to kill twenty of them was nothing in that caſe; which was "both a charitable and meritorious Act. *And* (*t*) Grant, *one* "*of the* Maſſacring Gun-powder Traitors, *ſaid, upon his Execu-*"*tion, to one that urged him to repent of that wicked Enterprize*, "That he was ſo far from counting it a Sin, that on the con-"trary, he was confident, that that noble Deſign had ſo much "of Merit in it, as would be abundantly enough to make "Satisfaction for all the Sins of his whole Life. *See* Everard "Digby

(*p*) Priest of P. C. 13. & Clem. 8. (*q*) 3. *Jac. Trial*, p. 28. (*r*) Col. *Lr.* to the *Internuncio*. (*s*) Pranee's *Nar.* p. 4. (*t*) *Cauſ. Ep.* p. 189.

" Digby *speaking to the same purpose also; the Provincial* Garnet " *did teach the Conspirators the same* Catholick *Doctrine*, viz. " That the King, Nobility, Clergy, and whole Commonalty " of the Realm of *England* (*Papists excepted*) were Hereticks; " *and*, That all Hereticks were accursed and excommunicated; " *and* That no Heretick could be a King, but that it was law- " ful and meritorious to kill him, and all other Hereticks with- " in this Realm of *England*, for the advancement and inlarge- " ment of the Authority and Jurisdiction of the *Pope*, and " for the restoring of the *Romish* Religion. *This was that* Gar- " net *whom the Papists here honoured as a* Pope, *and kissed his Feet*, " *and reverenced his Judgment as an Oracle; and since his Death*, " *given him the Honour of Saintship and Martyrdom* (*u*). Dugdale " *deposed*, That after they had dispatched the King, a Massacre " was to follow.

But surely, it may be supposed, that the Temper of such a Prince, or his Interest, would oblige him to forbid or restrain such violent Executions in *England*. Yea, but what if his Temper be to comply with such Courses? Or his Temper be better? What if it be over-rul'd? What if he be perswaded, as other Catholicks are, that he must in Conscience proceed thus? What if he cannot do otherwise, without hazard of his Crown and Life? For he is not to hold the Reins of Government alone, he will not be allowed to be much more than the *Pope's* *POSTILLION*, and must look to be dismounted, if he act not according to Order. The Law (*x*) tells us, *That it is not in the Power of any Civil Magistrate to remit the Penalty, or abate the Rigour of the Law.* Nay, if the Prince should plight his Faith by Oath, that he would not suffer their Bloody *LAWS* to be executed upon his Dissenting Subjects, this would signify nothing: For they would soon tell him, 'That (*y*) Contracts 'made against the Common Law are invalid, though confirmed 'by Oath; *And*, That he is not bound to stand to his Pro- 'mise though he had sworn to it: *And*, That Faith is no more 'to be kept with Hereticks, than the Council of *Constance* 'would have it. So that *Protestants* are to be burnt, as *Jo. Huss* and

(*u*) *Five Jes. Trials*, p. 23. (*x*) *Caput Officium.* (*y*) *Bonacina de pœn. prop. Disp.* 3. *q.* 2.

and *Jerom* of *Prague* were by that Council, though the Emperor had given them his safe Conduct in that Solemn manner, which could secure them only (as they said) from the Civil, but not Church-Process, which was the greatest. For 'tis their General Rule, *That Faith is either not to be given, or not kept with Hereticks. Therefore, saith* Simanca, "That Faith ingaged to *Hereticks*, though confirmed by Oath, is in no "wise to be performed: For, saith he, if Faith is not to be "kept with Tyrants and Pirats, and others who kill the Body, "much less with Hereticks who kill the Souls. And that the Oath in favour of them, is but *Vinculum Iniquitatis*, A Bond of Iniquity. Though Popish Princes, the better to promote their Interest, and to insnare the Protestant Subjects, to get advantage upon them, to their Ruin, have made large Promises, and plighted their Faith to them, when they did not intend to keep it. As the Emperor to *John Huss* and *Jerom*; *Charles* the Ninth of *France* to his Protestant Subjects before the Massacre; the Duke of *Savoy* to his Protestant Subjects, before their designed Ruin; and Queen *Mary*, before her burning of them. But if there were neither Law nor Conscience to hinder, yet in point of Interest, he must not shew favour to Hereticks, without apparent hazard, both (z) of Crown and Life, for he forfeits both if he doth. The Pope every Year doth not only curse Hereticks, but every Favourer of them, from which none but himself can absolve. (a) *Becanus* very elegantly tells us, "If a Prince be a dull Cur, and fly not upon Hereticks, he "is to be beaten out, and a keener Dog must be got in his stead. *Henry* the Third, and *Henry* the Fourth, were both Assassinated upon this Account, because they were suspected to favour Hereticks. And are we not told by the Discoverers (b) of the Popish Plot, That after they had dispatch'd the King, they would depose his Brother also, that was to succeed him, if he did not answer their Expectations, for rooting out the Protestant Religion.

But may not Parliaments secure us by Laws and Provisions restraining the Power which endangers us? Not possible, if once they secure and settle the Throne for Popery: For, *First*, They

(z) Parson's *Philop.* p. 109. (a) *Becan. Con. Aug.* p. 131, 132. *In Fowlis*, p. 60. (b) Oats's *Nar.* p. 4. *N.* 5, &c.

They can avoid Parliaments as long as they pleaſe; and a Government that is more Arbitrary and Violent, is more agreeable to their Deſigns and Principles: It being apparent, that the Engliſh Papiſts have loſt the Spirit of their Anceſtors, who ſo well aſſerted the Engliſh Liberties, being ſo generally now fix'd for the Pope's Univerſal Monarchy, ſacrificing all to that *Roman Moloch*, being much more his Subjects than the King's; and though Natives by Birth, yet are Foreigners as to Government, Principle, Intereſt, Affection and Deſign; and therefore no Friends to Parliaments, as our Experience hath told us.

But, *Secondly*, if their Neceſſity ſhould require a Parliament, there is no queſtion but they may get ſuch a one as will ſerve their turns: For ſo have every of our former Princes in all the Changes of Religion that have been amongſt us: As *Henry* the *8th*, when he was both for and againſt Popery; *Edward* the *6th*, when he was wholly Proteſtant; Queen *Mary*, when ſhe was for Burning Alive; and Queen *Elizabeth*, when ſhe ran ſo Counter to her Siſter. And the Reaſon is clear, that he who has the making of the publick Officers, and the Keys of Preferment and Profit, influenceth and ſwayeth Elections and Votes as he pleaſeth. And by how much the Throne comes to be fix'd in Popery, the Proteſtants muſt expect to be excluded from both Houſes, as they have excluded the Papiſts: For as Hereticks and Traitors, they, as ignominous Perſons, *&c.* you have heard, forfeit all Right, either to chuſe, or be choſen in any Publick Councils: And then all Laws which have been made for the Proteſtants, and againſt the Popiſh Religion, will be null and void, as being enacted by an incompetent Authority, as being the Acts of Hereticks, Kings, Lords, and Commons, who had forfeited all their Rights and Priviledges.

But, *Thirdly*, ſuppoſe our Laws were valid, as enacted by competent Authority, and ſuch good and wholſome Proviſions, as were thoſe Statutes made by our Popiſh Anceſtors, in thoſe Statutes of Proviſoes in *Edward* the I. & *Edward* the III. Time, and that of Præmunire in *Richard* the II. and *Henry* the IV. for Relief againſt Papal Incroachments and Oppreſſions: Yet being againſt the Laws and Canons of Holy Church, the Sovereign Authority, they will be all ſuperſeded: For ſo they determine, 'That when the Canon and the Civil Laws claſh, one requiring

'what

'what the other allows not, the Church-Law must have the 'obſervance, and that of the State neglected: And Conſtitu-'tions (*they ſay*) made againſt the Canons and Decrees of the '*Roman* Biſhops, are of no moment: Their beſt Authors are 'poſitive of it. And our own Experience and Hiſtories teſtify the Truth thereof: For how were thoſe good Laws before-mention'd, defeated by the Pope's Authority, ſo that there was no effectual Execution thereof till *Henry* the 8*th*'s Time, as Dr. *Burnet* (*c*) tells us? And how have the good Laws, to ſuppreſs and prevent Popery, been very much obſtructed in their Execution by *Popiſh* Influence?

(*c*) *Hiſt. Ref.* p. 110.

An Anſwer to a late Pamphlet, Intituled, A Short Scheme of the Uſurpations of the Crown of *England*, &c.

THE World may very juſtly wonder at ſeveral Paſſages in this ill-deſigned, and as ill-writ Pamphlet, which the Author has taken the pains to collect from ſome petty *Grubſtreet* Chronicle. *Henry* II. is call'd an Uſurper (*pag.* 4.) becauſe he accepted of the Crown of *England* in his Mothers Life-time; tho' by her not oppoſing his Claim, it may very reaſonably be concluded, that ſhe freely conſented to his Promotion, as the moſt effectual means to ſecure the Crown to her Poſterity.

But we are told, That a Crown is no Eſtate to be made over in Truſt: If our Author's meaning is, that a Crown is an Eſtate which the Poſſeſſor cannot diveſt himſelf of by a voluntary Reſignation; both Reaſon, and a multitude of Examples in ſeveral Ages, and Nations, prove that the Principle our Author has laid down, is founded on a groſs Miſtake. Therefore if our Author deſigns to publiſh any more Schemes

of

of Uſurpation, let him firſt inform us what it is, and how far it extends, leſt the World ſhould accuſe him of having as notoriouſly uſurped to himſelf the Title of a Writer, as any of our Princes ever did the Crown of *England*. He would perſwade his Readers to believe, that God puniſh'd King *Edward* III. and King *Henry* V. for their Uſurpations, with frequent and unexpected Victories; in the acquiſition of which, tho' there was ſome *Engliſh* Blood ſhed, (as it was impoſſible it ſhould be otherwiſe) yet the Enemies paid an exceſſive Price for it; after the defeat of their great Armies, and the Impriſonment of their King, they being forced to buy their Peace upon ſuch Terms, as our conquering Uſurpers pleaſed to impoſe. Nor did ever any well-wiſher to the *Engliſh* Nation deny, that theſe Two Princes were the Glory of their Age, and of our *Britiſh* Hiſtory. If I ſhould reckon up all the evident Miſtakes and falſe Inferences in this Libel, it would be too tedious, ſince a careleſs Eye cannot eaſily overlook them.

If the Pamphlet finds ſo undeſerved a Reception in the World, as to need a Second Impreſſion, the Author is deſired to add to it this *Poſtſcript*; which being founded on the Principles aſſerted by him, will ſhew the World that he hath wilfully, and perhaps partially, forborn to ſpeak of as notorious an Uſurper, as any that are mentioned in his Scheme.

Queen *Mary*, the Off-ſpring of an Inceſtuous Marriage, had no other unqueſtionable Divine Right to the Crown of *England*, than what was given her by an Act of *Parliament*, made in her Father's Reign, and the common Conſent of the Nobility and People after the Death of her Brother King *Edward* VI. whoſe diſpoſal of the Crown, by Letters Patents under the Great Seal, being directly contrary to the former Entail of it, limited by a higher Authority; His Siſter, the Lady *Mary*, was acknowledged Queen. Therefore, according to our Author's abſtruſe Notions, She (as well as her Grand-father *Henry* VII.) muſt be reckoned among the Uſurpers of the Crown of *England*. Let us now ſee what ſucceſs attended her, and whether the Nation was happy under her Government. As ſoon as She ſaw her ſelf fixed in the Throne, She impriſoned and deprived ſeveral of the *Proteſtant* Biſhops, contrary to the then Eſtabliſh'd Laws of the Realm: She intruded *Popiſh* Biſhops into the Sees, thus declared vacant; the ſmall remainder of the *Proteſtant* Biſhops, who

had been called to *Parliament* by Writ, were, nevertheleſs, violently thruſt out of the *Parliament-Houſe*, for refuſing to worſhip the Maſs. The Members of the *Houſe of Commons*, in her *Firſt Parliament*, were choſen by *force* and *threats*: the Freeholders were hindred by *violence* from exerciſing their Right of chuſing *Repreſentatives*: falſe *Returns* were made; and thoſe who were for the Reformed Religion, tho' duly elected, were by *force* expelled the Houſe. So that we cannot wonder at the Statues made in this pretended *Free Parliament*; which was in every Thing influenced by the Court-Party. Shortly after, her Marriage with the haughty jealous *Spaniard* (of which She her ſelf felt the ill Conſequences) was juſtly diſliked by the Nobility and Commonalty. Her baſe Deſign of ſetting up a Suppoſititious Child for Heir to the Crown, was not only happily defeated, but deſervedly expoſed to the Cenſure of the Nation: Her Deſign to erect the *Spaniſh Inquiſition* in *England* was diſappointed. *Calais* (after having belonged to the Crown of *England* about two hundred and eleven Years, and which was gained with great difficulty, after eleven Months Siege) was, in the depth of Winter, loſt in a Weeks time: And quickly after, all the Engliſh Territories were, with ſmall difficulty, recovered by the *French*. We muſt not forget how exactly She put in practice the baſe, treacherous, and deſtructive Principles of the pretended *Catholick Religion*, in theſe remarkable Particulars. She barbarouſly uſed her only Siſter, the Lady *Elizabeth*, and deſigned to have taken away her Life, for no other Cauſe, but her firm adherence to the Proteſtant Religion. She impriſoned and burnt Arch-Biſhop *Cranmer*, who had formerly ſheltered her from her Father's Fury. She deprived and impriſoned Judg *Hales*, who alone reſolutely oppoſed King *Edward* the Sixth's Will: and preferred Judg *Bromley* to be Lord Chief Juſtice, though he had, without any reluctancy, prepared the Letters-Patents for her Excluſion. The Inhabitants of *Norfolk* and *Suffolk*, who were the firſt that took up Arms for her, (upon her Promiſe to permit them the Exerciſe of their Religion) were the firſt that ſuffered Perſecution under her. And after ſhe had put to death near three hundred Perſons, (without reſpect to Quality, Age, or Sex) it pleaſed God to put an end to the Romiſh Cruelty and Idolatry, by her unexpected and unlamented Death. Nor is her Memory preſerved

ſerved from Oblivion by any thing, but her repeated Acts of Cruelty and Injuſtice. This was the Succeſs that attended her, this the Happineſs, the Liberty, the Religion eſtabliſh'd in the *Engliſh* Nation, during her five Years Tyranny.

That I may not detain the Reader any longer, I will conclude this Advice to our Learned *Pamphleteer*; That for the future he do not ſo poſitively aſcribe all unhappy Accidents, as frequent Wars and Rebellions, the Effuſion of *Engliſh* Blood, the unfortunate End of ſome of our Princes, to the Divine Vengeance upon them, for the Uſurpations he accuſes them of; ſince, if he will conſult our Hiſtorians, he may find that *Edward* II. *Richard* II. and the Incomparable Prince, King *Charles* I. though their Title from *William* the Conqueror is indiſputable, were far unhappier than any of the Uſurpers he mentions. That in *Edward* the Fourth's, and *Henry* the Eighth's Reign, a great deal of *Engliſh* Blood was ſhed both at Home and Abroad, though their Right was unqueſtionable, and univerſally acknowledged. And that as to the promiſcuous good or ill Succeſs of all Affairs in this lower World, the obſervation of the Wiſeſt of Princes, and of Men, is very often exactly verified; *There is one Event to the Righteous and to the Wicked:* To the Prince who aſcends the Throne by an unqueſtionable Right, and to him that aſcends it by Violence and Uſurpation. To the Prince that religiouſly performs the Solemn Oath taken at his Coronation, and to him that wilfully breaks through all the Obligations he is under, and endeavours by the moſt baſe Methods to diſſolve the Eſtabliſh'd Government.

The following Paper was publiſhed by Mr. *Samuel Johnſon* in the Year 1686. for which he was ſentenc'd by the Court of *Kings-Bench*, (Sir *Edward Herbert* being Lord Chief Juſtice) to ſtand three times on the Pillory, and to be whipp'd from *Newgate* to *Tyburn*: Which barbarous Sentence was executed.

An Humble and Hearty Addreſs to all the Engliſh Proteſtants *in this preſent Army.*

GENTLEMEN,

NEXT to the Duty which we owe to God, which ought to be the principal Care of Men of your Profeſſion eſpecially, (becauſe you carry your Lives in your Hands, and often look Death in the Face). The ſecond Thing that deſerves your Conſideration, is, The Service of your Native Country, wherein you drew your firſt Breath, and breathed a free Engliſh Air. Now I would deſire you to conſider, how well you comply with theſe two main Points, by engaging in this preſent Service.

Is it in the Name of God, and for his Service, that you have joined your ſelves with *Papiſts*; who will indeed fight for the *Maſs-Book* but burn the *Bible*, and who ſeek to Extirpate the *Proteſtant Religion* with *Your Swords*, becauſe they cannot do it with their *Own?* And will you be Aiding and Aſſiſting to ſet up *Maſs-Houſes*, to erect that Popiſh Kingdom of Darkneſs and Deſolation amongſt as, and to train up all our Children in *Popery?* How can you do theſe Things, and yet call your ſelves *Proteſtants?*

And then what Service can be done your Country, by being under the Command of *French* and *Iriſh Papiſts*, and by bring-

ing

ing the Nation under a Foreign Yoke? Will you help them to make forcible Entry into the Houſes of your Country-men, under the Name of *Quartering*, directly contrary to *Magna Charta*, and the *Petition of Right*? Will you be Aiding and Aſſiſting to all the Murders and Outrages which they ſhall commit by their void Commiſſions? Which were declared Illegal, and ſufficiently blaſted by both Houſes of Parliament, (if there had been any need of it) for it was very well known before, That a *Papiſt* cannot have a Commiſſion, but by the Law is utterly Diſabled and Diſarmed. Will you exchange your Birth-right of *Engliſh Laws* and *Liberties* for *Martial* or *Club-Law*, and help to deſtroy all others, only to be eaten laſt your ſelves? If I know you well, as you are Engliſh Men, you hate and ſcorn theſe Things. And therefore be not unequally yoaked with *Idolatrous* and *Bloody Papiſts*. *Be Valiant for the Truth, and ſhew your ſelves Men.*

The ſame Conſiderations are likewiſe humbly offered to all the *Engliſh Seamen*, who have been the Bulwark of this Nation againſt *Popery* and *Slavery* ever ſince *Eighty Eight.*

Several Reaſons for the Eſtabliſhment of a Standing Army, and Diſſolving the Militia.

1. BEcauſe the Lords Lieutenants, Deputy Lieutenants, and the whole *Militia*, that is to ſay, the Lords, Gentlemen, and Free-holders of *England*, are not fit to be truſted with their own Laws, Lives, Liberties, and Eſtates, and therefore ought to have Guardians and Keepers aſſigned to them.

2. Becauſe *Mercenary Souldiers*, who fight for twelve Pence a Day, will fight better, as having more to loſe than either the Nobility or Gentry.

3. Becauſe there are no *Iriſh Papiſts* in the *Militia*, who are certainly the beſt Souldiers in the World, for they have ſlain Men, Women, and Children, by Hundreds of Thouſands at once.

4. Becauſe

4. Becauſe the *Dragooners* have made more Converts than all the Biſhops and Clergy of *France*.

5. The Parliament ought to eſtabliſh one ſtanding Army at the leaſt, becauſe indeed there will be need of Two, that one of them may defend the People from the other.

6. Becauſe it is a thouſand pities that a brave *Popiſh Army* ſhould be a Riot.

7. Unleſs it be Eſtabliſhed by Act of Parliament, the Juſtices of Peace will be forced to ſuppreſs it in their own Defence; for they will be loth to forfeit an hundred Pounds every day they riſe, out of Complement to a *Popiſh Rout*. 13. *H.* 4. *c.* 7. 2. *H.* 5. *c.* 8.

8. Becauſe a *Popiſh Army* is a *Nullity*. For all *Papiſts* are utterly diſabled (and puniſhable beſides) from bearing any Office in Camp, Troop, Band, or Company of Souldiers, and are ſo far diſarmed by Law, that they cannot wear a Sword, ſo much as in their Defence, without the allowance of four Juſtices of the Peace of the County: And then upon a March they will be perfectly inchanted, for they are not able to ſtir above five Miles from their own Dwelling-houſe. 3. *Jac.* 5. *Sect.* 8, 27, 28, 29. 35. *Eliz.* 2. 3. *Jac.* 5. *Sect.* 7.

9. Becauſe Perſons utterly diſabled by Law are utterly Unauthorized; and therefore the void Commiſſions of Killing and Slaying in the Hands of *Papiſts*, can only enable them to Maſſacre and Murder.

A Discourse of Magistracy; of Prerogative by Divine Right; of Obedience, and of the Laws.

CHAP. I.

Of MAGISTRACY.

I. RELATION is nothing else but that State of Mutual Respect and Reference, which one Thing or Person has to another.

II. Such are the Relations of Father and Son, Husband and Wife, Master and Servant, Magistrate and Subject.

III. The Relations of a Father, Husband, and Master, are really distinct and different; that is, one of them is not the other; for he may be any one of these who is none of the rest.

IV. This distinction proceeds from the different Reasons, upon which these Relations are founded.

V. The Reason or Foundation, from whence arises the Relation of a Father, is from having begotten his Son, who may as properly call every old Man he meets his Father, as any other Person whatsoever, excepting him only who begat him.

VI. The Relation of an Husband and Wife is founded in Wedlock, whereby they mutually consent to become one Flesh.

VII. The Relation of a Master is founded in that Right and Title which he has to the Possession, or Service of his Slave or Servant.

VIII. In

VIII. In these Relations, the Names of Father, Husband, and Master, imply Soveraignty and Superiority, which varies notwithstanding, and is more or less absolute, according to the Foundation of these several Relations.

IX. The Superiority of a Father is founded in that Power, Priority, and Dignity of Nature, which a Cause hath over its Effect.

X. The distance is not so great in Wedlock, but the Superiority of the Husband over the Wife, is like that of the Right-Hand over the Left in the same Body.

XI. The Superiority of a Master, is an absolute Dominion over his Slave, a limited and conditionate Command over his Servant.

XII. The Titles of *Pater Patriæ*, and *Sponsus Regni*, Father of the Country, and Husband of the Realm, are Metaphors and improper Speeches: For no Prince ever begat a whole Country of Subjects; nor can a Kingdom more properly be said to be married, than the City of *Venice* is to be *Adriatick Gulph*.

XIII. And to shew further, that Magistracy is not Paternal Authority, nor Monarchy founded in Fatherhood; it is undeniably plain, that a Son may be the Natural Soveraign Lord of his own Father, as *Henry* the Second had been of *Jeffery Plantagenet*, if he had been an *English-man*; which, they say, *Henry* the Seventh did not love to think of, when his Sons grew up to Years. And this Case alone is an eternal Confutation of the Patriarchate.

XIV. Neither is Magistracy a Marital Power, for the Husband may be the obedient Subject of his own Wife, as *Philip* was of Queen *Mary*.

XV. Nor is it that Dominion which a Master has over his Slave, for then a Prince might lawfully sell all his Subjects, like so many Head of Cattel, and make Mony of his whole Stock when ever he pleases, as a Patron of *Algiers* does.

XVI. Neither is the Relation of Prince and Subject the same with that of a Master and hired Servant, for he does not hire them, but as St. *Paul* saith, *They pay him Tribute*, in consideration of his continual *Attendance* and *Imployment* for the Publick Good.

XVII. That

XVII. That Publick Office and Imployment is the Foundation of the Relation of King and Subject, as many other Relations are likewise founded upon other Functions and Administrations. Such as *Guardian*, and *Ward*, &c.

XVIII. The Office of a King is set down at large in the 17*th* Chapter of the Laws of King *Edward* the Confessor, to which the succeeding Kings have been sworn at their Coronation: And it is affirmed in the Preambles of the Statutes of (*a*) *Mulbridg*, and of the Statute of *Quo Warranto*, made at (*b*) *Glocester*, That the calling of Parliaments to make Laws for the better Estate of the Realm, and the more full Administration of Justice, *belongeth to the Office of a King*. But the fullest account of it in few words, is in Chancellor *Fortescue*, Chap. XIII. which Passage is quoted in *Calvin's* Case, *Coke* VII. *Rep. Fol.* 5. *Ad Tutelam namq; Legis Subditorum, ac eorum Corporum, & bonorum, Rex hujusmodi erectus est, & ad hanc potestatem à populo effluxam ipse habet, quo ei non licet potestate alia suo populo Dominari.* For such a King (*that is, of every Political Kingdom, as this is*) is made and ordained for the Defence or Guardianship of the Laws of his Subjects, and of their Bodies and Goods, whereunto he receiveth Power of his People, so that he cannot govern his People by any other Power.

Corolary, A Bargain's a Bargain.

(*a*) Prout Regalis Officii expoſcit utilitas. (*b*) Sieome le profit de Office Demaunde. *The Kingly or Regal Office of this Realm, Mar. Sess.* 3. cap. 1.

CHAP. II.

Of Prerogatives by Divine Right.

I. GOvernment is not matter of Revelation; if it were, then those Nations that wanted Scripture, must have been without Government; whereas Scripture it self says, that Government is *the Ordinance of Man*, and of Human Extraction. And King *Charles* the First says of this Government in parti-

Cæsar, *That it was* moulded *by the Wisdom and Experience of the People.* Answ. to XIX. Prop.

II. All just Governments are highly beneficial to Mankind, and *are of God*, the Author of all Good; they are his *Ordinances* and *Institutions.* Rom. 13. 1, 2.

III. Plowing and sowing, and the whole business of preparing Bread-Corn, is absolutely necessary to the Subsistence of Mankind; *This also cometh forth from the Lord of Hosts, who is wonderful in Counsel, and excellent in Working.* Isa. 28. from 23*d* to 29*th* Verse.

IV. Wisdom saith, *Counsel is mine, and sound Wisdom; I am Understanding, I have Strength; by me Kings reign, and Princes decree Justice: By me Princes rule, and Nobles, even all the Judges of the Earth.* Prov. 13. 14.

V. The Prophet, speaking of the Plow-man, saith, *His God doth instruct him to Discretion, and doth teach him.* Isa. 28. 26.

VI. Scripture neither gives nor takes away Mens Civil Rights, but leaves them as it found them, and (as our Saviour said of himself) is no Divider of Inheritances.

VII. Civil Authority is a Civil Right.

VIII. The Law of *England* gives the King his Title to the Crown. For, where is it said in Scripture, that such a Person or Family by Name shall enjoy it? And the same Law of *England* which has made him King, has made him King according to the *English* Laws, and not otherwise.

IX. The King of *England* has no more Right to set up a *French* Government, than the *French* King has to be King of *England*, which none at all.

X. *Render unto* Cæsar *the things which are* Cæsars, neither makes a *Cæsar*, nor tells who *Cæsar* is, nor what belongs to him; but only requires Men to be just, in giving him those supposed Rights, which the Laws have determined to be his.

XI. The Scripture supposes Property, when it forbids Stealing; it supposes Mens Lands to be already butted and bounded, when it forbids removing the Ancient Land-marks: And as it is impossible for any Man to prove what Estate he has by Scripture, or to find a Terrier of his Lands there; so it is a vain thing to look for Statutes of Prerogative in Scripture.

XII. If *Mishpat Hamelech*, the manner of the King, 1 *Sam* 8. 11. be a Statute of Prerogative, and prove all those Particulars to be the Right of the King, then *Mishpat Haccohanim*, the Priests custom of Sacrilegious Rapine, *Chap.* 2. 13. proves that to be the Right of the Priests, the same word being used in both places.

XIII. It is the Resolution of all the Judges of *England*, that even the known and undoubted Prerogative of the *Jewish* Kings, do not belong to our Kings, and that it is an absurd and impudent thing to affirm they do. *Coke* 11. *Rep.* p. 63. *Mich.* 5. *Jac.* "Note, upon Sunday the "Tenth of *November*, in the same Term, the "King, upon Complaint made to him by *Bancroft*, Arch-bishop of *Canterbury*, concerning "Prohibitions, was informed, That when Que- "stion was made of what matters the Ecclesiastical Judges "have Cognizance, either upon the Exposition of the Statutes "concerning Tythes, or any other thing Ecclesiastical, or upon "the Statute 1 *Eliz.* concerning the High-Commission, or in "any other case, in which there is not expres Authority by "Law, the King himself may decide it in his Royal Person; "and that the Judges are but the Delegates of the King, "and that the King may take what Causes he shall please to "determine from the Determination of the Judges, and may "determine them himself. And the Arch-bishop said, *That this was clear in Divinity, That such Authority belongs to the King, by the Word of God in Scripture.* "To which it was "answered by me, in the presence, and with the clear consent "of all the Justices of *England*, and Barons of the *Exchequer*, "That the King in his own Person cannot adjudg any Case, "either Criminal, as Treason, Felony, *&c.* but this ought to "be determined and adjudged in some Court of Justice, ac- "cording to the Law and Custom of *England*. And always "Judgments are given, *Ideo consideratum est per Curiam*; so that "the Court gives the Judgment ——. And it was *greatly mar- "velled*, that the Arch-bishop *durst* inform the King, that "such Absolute Power and Authority, as is aforesaid, belonged "to the King *by the Word of God.*

Give us a King to judg us, 1 Sam. 8. 5, 6, 20.

CHAP. III.

Of OBEDIENCE.

I. NO Man has any more Civil Authority than what the Law of the Land has veſted in him; nor is he one of St. *Paul*'s Higher Powers any farther, or to any other purpoſes, than the Law has impowered him.

II. An Uſurped, Illegal, and Arbitrary Power, is ſo far from being the Ordinance of God, that it is not the Ordinance of Man.

III. Whoever oppoſes an Uſurped, Illegal, and Arbitrary Power, does not oppoſe the Ordinance of God, but the Violation of that Ordinance.

IV. The 13*th* of the *Romans* commands Subjection to our Temporal Governours, becauſe their Office and Imployment is for the Publick Welfare; *For he is the Miniſter of God to Thee for good.* Verſe 4.

V. The 13*th* of the *Hebrews* commands Obedience to Spiritual Rulers, *becauſe they watch for your Souls.* Verſe 17.

VI. But the 13*th* of the *Hebrews* did not oblige the Martyrs and Confeſſors in Queen *Mary*'s Time, to obey ſuch bleſſed Biſhops as *Bonner*, and the Beaſt of *Rome*, who were the perfect Reverſe of St. *Paul*'s Spiritual Rulers, and *whoſe Practice was murthering of Souls and Bodies*, according to that true Character of *Popery*, which was given it by the Biſhops who compiled the Thankſgiving for the Fifth of *November*; but Arch-Biſhop *Laud* was wiſer than they, and in his time blotted it out.

The Prayer formerly ran thus: *To that end ſtrengthen the Hands of our Gracious King, the Nobles and Magiſtrates of the Land, to cut off theſe Workers of Iniquity (whoſe Religion is Rebellion, whoſe Faith is Faction, whoſe Practice is murthering of Souls and Bodies) and to root them out of the Confines of this Kingdom.*

VII. All

VII. All the Judges of *England* are bound by their Oath, and by the Duty of their place, to disobey all Writs, Letters, or Commands, which are brought to them, either under the Little Seal, or under the Great Seal, to hinder or delay common Right. Are the Judges all bound in an Oath, and by their Places, to break the 13*th* of the *Romans*? 18 *Edw.* III. 20 *Edw.* III. *Cap.* 1, 2.

VIII. The Engagement of the Lords attending upon the King at *York*, *June* 13. 1642. which was subscribed by the Lord Keeper, and thirty nine Peers, besides the Lord Chief Justice *Banks*, and several others of the Privy-Council, was in these words.

We do engage our selves not to obey any Orders or Commands whatsoever, not warranted by the known Laws of the Land. Was this likewise an Association against the 13*th* of the *Romans*?

IX. A *Constable* represents the King's Person, and in the Execution of his Office is within the purview of the 13*th* of the *Romans*, as all Men grant; but in case he so far pervert his Office, as to break the Peace, and commit Murther, Burglary, or Robbery on the High-way, he may and ought to be resisted.

X. The Law of the Land is the best Expositor of the 13*th* of the *Romans* here; and in *Poland*, the Law of the Land there.

XI. The 13*th* of the *Romans* is received for Scripture in *Poland*, and yet this is expressed in the Coronation-Oath in that Country: *Quod si Sacramentum meum violavero, Incolæ Regni nullam nobis Obedientiam præstare tenebuntur.* And if I shall violate my Oath, the Inhabitants of the Realm shall not be bound to yield me any Obedience.

XII. The Law of the Land, according to *Bracton*, is the highest of all the Higher Powers mentioned in this Text, for it is Superiour to the King, and made him King, (*Lib.* iii. *cap.* xxvi. *Rex habet Superiorem Deum, item Legem, per quam factus est Rex, item Curiam suam*, viz. *Comites & Barones*) and therefore by this Text we ought to be subject to it in the first place. And according to *Melancthon*, *It is the Ordinance of God, to which the Higher Powers themselves ought to subject.* Vol. iii. In his Commentary on the fifth Verse, (*Wherefore ye must needs be*

be ſubject, not only for Wrath, but alſo for Conſcience ſake.) He has theſe words. *Neque vero hæc tantum pertinent ad Subditos, ſed etiam ad Magiſtratum, qui cum ſint Tyranni, non minus diſſipant Ordinationem Dei, quam Seditioſi. Ideo & ipſorum Conſcientia ſit rea, quia non obediunt Ordinationi Dei; id eſt, Legibus, quibus debent parere. Ideo Comminationes hic poſitæ etiam ad ipſos pertinent. Itaq; hujus mandati ſeveritas moveat omnes, ne violent Legitimum Politici ſtatus putent eſſe leve peccatum.* Neither doth this place concern Subjects only, but alſo the Magiſtrates themſelves; who when they turn Tyrants, do no leſs overthrow the Ordinance of God than the Seditious; and therefore their Conſciences too are guilty, for not obeying the Ordinance of God, that is, the Laws, which they ought to obey. So that the Threatnings in this place do alſo belong to them; wherefore, let the Severity of this Command deter all Men from thinking the Violation of the Political Conſtitution to be a light Sin.

Corolary. To deſtroy the Law and Legal Conſtitution, which is the *Ordinance of God*, by falſe and Arbitrary Expoſitions of this Text, is a greater Sin than to deſtroy it by any other means: For it is *Seething the Kid in his Mothers Milk.*

CHAP. IV.

Of LAWS.

I. THere is no natural Obligation, whereby one Man is bound to yield Obedience to another, but what is founded in Paternal or Patriarchal Authority.

II. All the Subjects of a Patriarchal Monarch are Princes of the Blood.

III. All the People of *England* are not Princes of the Blood.

IV. No Man who is naturally free can be bound, but by his own Act and Deed.

V. Publick Laws are made by Publick Conſent, and they therefore bind every Man, becauſe every Man's Conſent is involved in them.

VI. No-

VI. Nothing but the ſame Authority and Conſent which made the Laws, can repeal, alter, or explain them.

VII. To judg and determine Cauſes againſt Law, without Law, or where the Law is obſcure and uncertain, is to aſſume Legiſlative Power.

VIII. Power aſſumed without a Man's Conſent, cannot bind him as his own Act and Deed.

IX. The Law of the Land is all of a piece, and the ſame Authority which made one Law made all the reſt, and intended to have them all impartially executed.

X. Law on *one ſide*, is the Back-Sword of Juſtice.

XI. The beſt things when corrupted are the worſt; and the wild Juſtice of a State of Nature, is much more deſirable than Law perverted and over-ruled, into *Hemlock* and Oppreſſion.

This Diſcourſe of Magiſtracy, *&c.* and the former Reaſons, were written by the foreſaid Mr. *S. Johnſon.*

The Definition of a TYRANT, *by the Learned and Loyal* Abraham Cowley, (*publiſhed by the preſent Lord Biſhop of* Rocheſter) *in his Diſcourſe concerning the Government of* Oliver Cromwel.

I Call him a Tyrant, who either intrudes himſelf forcibly into the Government of his Fellow-Citizens, without any Legal Authority over them, or who, having a juſt Title to the Government of a People, abuſes it to the deſtruction or tormenting of them: So that all Tyrants are at the ſame time Uſurpers, either of the whole, or at leaſt of a part of that Power which they aſſume to themſelves; and no leſs are they to be accounted Rebels, ſince no Man can uſurp Authority over others, but by rebelling againſt them who had it before, or at leaſt againſt thoſe Laws which were his Superiours.

Several

Several *Queries* propoſed to the *Sages of the Law*, who have ſtudied to Advance the Publick, equally with, if not more than their own private Intereſt.

Q. I. *Whether the Legiſlative Power be in the King only, as in his Politick Capacity, or in the King, Lords, and Commons, in Parliament aſſembled? If in the latter, then,*

Q. II. *If the King grants a Charter, and thereby great Franchiſes and Priviledges, and afterwards, the Grantees obtain an Act of Parliament for the Confirmation hereof, is this the Grant of the King, or of the Parliament? If the latter, as it ſeems to be, becauſe it is done by the whole, and every part of the Legiſlative Power: then,*

Q. III. *To whom can theſe Grantees forfeit this Charter? And who ſhall take Advantage of the Forfeiture? If the King; then an Act of Parliament may be deſtroyed without an Act of Parliament? If the Parliament only can call them to an Account; then,*

Q. IV. *Of what Validity is a Judgment pronounced (under a colour of Law) in* B. R. *againſt a Charter granted by Parliament? If it be of any force, then the King's Bench is Superior to the Legiſlative Power of the Kingdom: If not, then,*

Q. V. *What Reaſon can be aſſigned, why it is not as ſafe to Act purſuant to an Act of Parliament, notwithſtanding a Judgment entred in the* King's Bench, *as it was to Act againſt an Act of Parliament, before the Judgment was entred? And then,*

Q. VI. *Whether they that did the latter, were not downright Knaves? and whether they that refuſe to do the former, be not more nice than wiſe?*

A LETTER TO THE KING,

When DUKE of YORK,

Perſwading him to return to the Proteſtant Religion, wherein the chief Errors of the Papiſts are expoſed, and the Tendency of their Doctrines to promote Arbitrary Government, proved.

By an Old Cavalier, *and Faithful Son of the Church of* England, *as Eſtabliſh'd by Law.*

Illuſtrious Sir!

WHEN I look up to the *Greatneſs* of your Quality, and down on my own *meanneſs*, I cannot but tremble to make this Addreſs, ſo liable to be cenſur'd as preſumptuous, and obnoxious to variety of Miſconſtruction. But ſince my Pen is guided by an *Heart* fill'd with profound *Loyalty*, and Veneration towards all the *Royal Family*, and a ſincere reſpect, and moſt paſſionate deſires for the particular Proſperity (Temporal and Eternal) of your Royal Highneſs, I cannot refrain diſcharging what I apprehended my Duty; and therefore with good *Eſther*, finding not only my Country, but your Highneſs alſo, in ſuch apparent (I wiſh it may not prove inevitable) hazard of Ruin, am reſolved to adventure forth, and caſt my poor weak Sentiments at your feet; and, *If they periſh, they periſh.*

'Tis generally reported, That you are long ſince turn'd *Papiſt*; and ſo far believ'd, That every day many hundred thouſand Proteſtants are melted into Tears and Horror meerly on that Conſideration, and lament the ſame, as one of the greateſt Calamities that has happened in our Age. I muſt do my ſelf ſo much Juſtice as to declare, That

I am none of those fanatical Spirits, that either raise, or lightly credit Rumours to the prejudice of my Superiors. But besides what has been sworn by Persons, whose Evidence none have hitherto been able to invalidate by any substantial Reasons, or Incoherence in their Depositions; your Highnesses Conduct, and Deportment for many years past, your absenting from the publick Worship of our Church, Refusing legal Oaths and Tests, your countenancing, retaining an intimate Correspondency with *Roman Catholicks*; and many other Reasons not fit, at least unnecessary here to be mention'd, do all loudly speak it: And for those who would go about to deny it (as some wretched Pamphlet-scribblers, and unthinking Health-drinkers have done.) besides the folly of the attempt, they unwarily cast a greater load of Ignominy and Dishonour on your Highness, whilst they pretend to vindicate you.

For is it imaginable, That a Prince of your Generosity and Prudence would so far suffer the Affairs of your Royal Brother to be imbroild, His Councils discompos'd; all the Protestants in the World swallowed up with Astonishment, and almost despair, your own Honour sullied, your Interest impaired, and these Three Kingdoms put into a deplorable Distraction, meerly upon a false supposition, without rectifying in all this time their mistake by some real Demonstrations to the contrary? If such a *Capricio* should sway with your Highness, what were it but to render you the *worst Subject*, the most *unkind Brother*, the most *Impolitick Prince*, and the *maddest*, or most *monstrous Man* in the World?

I shall therefore take it for granted, and consequently must, tho' with all Humility, and a Sorrow inexpressible, direct my Discourse to your Highness as *an Apostate* from the Protestant Faith; and if I am mistaken, 'tis your Highness has led *not only me*, but almost all the World into that Error.

I am not insensible of my own weakness, and how unfit I am to argue matters of Religion with your Highness, and those subtil *Sophisters* (the Pest of *Europe*, and shame of Christianity) which are always croaking about Persons of Quality, whom they have perverted to their Idolatries; being my self but a *Lay-Gentleman*, of little *Learning*, and in the course of my Life more conversant with the *Sword*, than the *Pen*: And I must wonder with Regret, if none of the *Right Reverend Fathers*, my Lords the *Bishops*, or some of our other *Learned Divines* have not vigorously made Applications to your *Highness*, even in a publick Manner, to regain you to the *Protestant Communion*: If they have not charg'd you, as they are *God's Ambassadors*, to shew some Reasons, why you have broke the League (your Baptismal vows) with his Church, and join'd your self to the Tents of his *Enemies*. If they have not adjur'd you in the Name of our Lord, to shew on what *offence* taken amongst *us*, and for what Beauties observ'd in the Church of *Rome*, you quitted the true *Spouse of Christ*, to follow the Enchantments of a *Strumpet*, whose shameless Adulteries have long since caused an utter Divorce between Her and the Blessed Jesus: If they have not solemnly called *Heaven and Earth* to Record, that they are ready to satisfie all your *scruples*, to answer all your *objections*; and to shew, That it is not through any default in them, for want of *Endeavours*, nor in our Church for want of *Truth*; but that your defection must be *wilful*, as well as *unreasonable*, whereby to render you either *convicted*, or *inexcusable*.

Nor do I doubt, but several of those *Glorious Lights* of our Church, may accordingly have discharged without *fear* of *flattery* their Functions herein, in *private* discourses: But certainly a matter of that inestimable importance, as wherein not only the *Soul* of one of the *Bravest Princes* of the Earth, but also the whole *Protestant Interest* in the World, especially within these Three Nations, is so deeply and dangerously concern'd, might require, since I am sure it *deserves* a *Publick* and *General* Application:

Nor

Nor ought any, though the meaneſt of Men, to be blam'd for contributing modeſtly, his *help* to prevent a diſaſter of ſuch *univerſal influence*: And therefore who knows but that Almighty Providence, who overthrew *Jericho*'s proud Walls of old, not with *Battering* Engines of War, but with the blaſt of contemptible *Rams-Horns*, and is often pleaſed to make uſe of the *weakeſt* Inſtruments to effect mighty Works; may give a Bleſſing to theſe poor unpoliſh'd, inartificial Lines, which have nothing but the Power of *Truth*, and the Honeſty of a ſincere Intention to recommend them to your Princely Conſideration?

That you were educated in Proteſtant Principles, is notorious. I beſeech your Highneſs therefore to ſatisfie the World what could induce you to a change. I ſhall not mention your Royal Grandfather, whoſe Learned Pen baffled all the Conclave, nor ſhall I inſiſt on that Curſe which he ſolemnly pronounced on any of his Poſterity that ſhould turn *Papiſts*: I ſhall only ſay, Had you not the Example, and the Commands too of a moſt Indulgent, Pious Prince, your Royal Father, for perſeverance therein; who, though barbarouſly murder'd by vile Men, yet continued ſtedfaſt, and even with his laſt breath diſcharg'd and clear'd the Doctrine of the Reformed Religion from having any ſhare in their Crimes? What Impiety is it, if you ſhould dare to profeſs *your Fathers Bleſſed Soul to be eternally damn'd*! and yet, if you are a Papiſt, you can do no leſs; for you cannot be ſuch without believing, That there is no Salvation out of the Pale of the Church, and that there is no Church but that of *Rome*; and I am confident none can have the Impudence to ſuggeſt, that He died in the Communion of that Church: What follows then? or how will you anſwer this Horrid Scandal on his Sacred Memory, when you ſhall meet his glorified Spirit at the laſt dreadful Judgment-day? Nor can the keeneſt Jeſuit blunt the edge of this Argument by a Retortion from the Conſideration of your Highneſſes Illuſtrious Mother: For though Papiſts are ſo audacious, as to place the Keys of Heaven at the Popes Girdle, and uncharitably doom us All to unquenchable flames, not affording us ſo much as a Room in Purgatory: yet Proteſtants are not ſo unchriſtian (but according to Scripture) leave ſecret things to God, and allow grains for Education, Prepoſſeſſions, Ignorance, *&c.* which is yet no more a Reaſon for any Man to turn Papiſt, than 'tis for him that ſtands ſafe on the ſhore to leap off into a Veſſel ſo rotten and leaky as juſt ready to ſink, upon a preſumption that ſtill ſome of thoſe that are in her may eſcape the danger: Or to chuſe an impudent Quack, who boaſts he *only* can cure him; and refuſe a Learned Phyſician, who modeſtly grants he may peradventure be healed by the other, though very improbably; but withal, that 'tis a Million to one, but the Patient, under ſuch hands, miſcarries; and that in this caſe, eternally.

But quitting this Argument, which is only Perſonal, I beſeech your Highneſs to tell us, how you, or any Man of ſenſe can ſo far forget, not only his Education and Intereſt, but his very Reaſon, as to imbrace POPERY, frightful, deteſtable, ridiculous *Popery*, that Chaos of *Superſtition*, Idolatry, Error and Impoſture, that has no foundation but a Cheat; No Ends but to gratifie Pride and Avarice; no ſolid Argument to promote and maintain it, but Impudence and Cruelty.

Popery, That depends wholly upon nice and poor uncertainties, and unprovable ſuppoſals: As *1ſt.* That *Peter* was Biſhop of *Rome*. *2dly.* That He left there one to be Heir of his Graces and Spirit, in a perpetual unfailable Succeſſion. *3dly.* That He ſo bequeathed his Infallibility to his Chair, as that whoſoever ſits in it, cannot but ſpeak Truth; ſo that all who ſit where he ſat, muſt by ſome ſecret Inſtinct, ſay as he taught; that what Chriſt ſaid to him abſolutely, without any reſpect to *Rome*, muſt be referr'd, yea ty'd to that place alone, and fulfill'd in it. *4thly.* That *Linus*, *Clemens* and *Cletus*

the Scholars, and supposed Successors of *Peter*, must be prefer'd (in the Headship of the Church) to *John* the beloved Apostle, then still living. 5*thly*. That He whose Life is oft times monstrously debauch'd, his Judgment childishly ignorant, cannot yet, when in his Pontifical Chair, possibly erre. 6*thly*. That the Golden Line of this Apostolical Succession, in the confusion of so many long desperate Schisms, shamefully corrupt Usurpations and Intrusions, and confess'd Heresies, yet neither was nor can be broken.

Popery, That teaches Men to worship Stocks and Stones, and painted Clouts, with the same Honour as is due to our Creator; and lest that practice should appear to her simple Clients too palpably opposite to God's Law, most sacrilegiously stifles one of the Ten Commandments in their vulgar Catechisms and Prayer-Books.

Popery, That utterly confounds the true Humanity of Christ, while they give unto it Ten thousand places at once, and yet no place; Flesh, and no Flesh; several Members without distinction; a substance without quantity, and other Accidents; or Substance and Accidents, that cannot be seen, felt or perceived; so that they make a Monster of their Saviour, or nothing.

Popery, That utterly overthrows the Perfection of Christ's satisfaction; for if all be not paid, how hath he satisfied? If Temporal Punishments in Purgatory be yet due, how is all paid? And if these must be paid by us, how are they satisfied by him?

Popery, That hath made more Scriptures than ever the Holy Spirit dictated, or the Ancient Church received; and those which it doth make, Imperiously obtrudes upon the World; and while it thunders out Curses against all that will not add these Books to God's, seems to defie the Curse pronounc'd by God himself, to those that add unto his Word, *Rev.* 22. 18.

Popery, That erects a Throne in the Conscience to a meer Man, and many times rather a Monster than a Man; and gives him absolute Power to make a sin of that which is none; and to dispense with that which is; to create new Articles of Faith, and to impose them upon Necessity of Salvation; to make wicked Men Saints, and Saints Gods; for even by the Confession of Papists, lewd and undeserving Men have leap'd into their Calendar; yet being once install'd there, they have the Honour of Altars, Temples and Invocations; some of them in a stile fit only for their Maker.

Popery, That robs the Heart of all sound Comfort, whilst it teacheth us, That we neither can, nor ought to be assured of the Remission of our sins, and of present Grace, and future Salvation; that we can never know whether we have receiv'd the true Sacraments of God because we cannot know the Intention of the Minister, without which they are no Sacraments.

Popery, That racks the Conscience with the needless torture of a necessary shrift, wherein the vertue of an Absolution depends on the fulness of Confession; and that upon Examination; and the sufficiency of Examination is so full of scruples (besides infinite Cases of unresolved doubts in this feigned pennance) that the poor soul never knows when it is clear.

Popery, That under pretence of Religion plays the Bawd to sin, whilst both in practice it tolerates open *Stews*, and prefers Fornication in some cases before honourable Matrimony, and gently blanches over wilful Violations of God's Law with the favourable title of *Venial Crimes*.

Popery, That makes Nature vainly proud, in joining her as Copartner with God in our Justification, Salvation, and idly puffing her up with a conceit of her Perfection and Ability to keep more Laws than God hath made, whence their Doctrines of Merit and Supererogation, &c.

Popery, That requires no other Faith to Justification in Christians, than may be found in Devils themselves; who, besides a confused Apprehension, can assent to the Truth of God's revealed Will, and Popery requires no more.

Popery,

Popery, That instead of the pure Milk of the Gospel, hath long fed her starved Souls with such idle Legends, as the Reporter can hardly deliver without laughter, nor their Abettors be told of without shame and disclamation; so that the wiser sort of the World read these Stories on Winter Evenings for sport, which the poor credulous Multitude hear in their Churches with devout astonishment.

Popery, That requires nothing but meer Formality in our Devotion; the work wrought suffices alone in Sacraments, and in Prayers; if the number be repeated by Rote, no matter for the Affection; as if God regarded not the Heart, but the Tongue and Hands; and while he understands us, cared little whether we understand our selves.

Popery, That hath been often dyed in the Blood of Princes, that in some cases teaches and allows Rebellion against God's Anointed; and both suborneth Treasons; and excuses, pities, honours and rewards the Actors.

Popery, That overloads Men's Consciences with heavy burdens of infinite, unnecessary Traditions, far more than ever *Moses* Commented upon by all the *Jewish Rabbins*; imposing them with no less Authority, and exacting them with more Rigour, than any of the Royal Laws of their Maker.

Popery, That cozens the vulgar with nothing but shadows of Holiness in Pilgrimages, Processions, Offerings, Holy-Water, Latin Services, Images, Tapers, rich Vestures, garish Altars, Crosses, Censings, and a thousand such like, fit for Children and Fools, robbing them in the mean time of the sound and plain Helps of true Piety and Salvation.

Popery, That cares not by what wilful Falshoods, Equivocations, Perjuries and Abominations it propagates it self, and maintains its credit: And therefore being conscious of her own Villainies, goes about to falsifie and deprave Authors, that might give Evidence against her, to outface all ancient Truths, to foist in *Gabionitish* Witnesses of their own forging, and leaves nothing unattempted against Heaven and Earth that might advance her Faction, and disable her innocent and just Accusers.

This, this is the true figure of *Popery*, through whatever false Opticks your Highness may have view'd it: This is that for which you are resolv'd to hazard a Crown of Glory, and three temporal Diadems to boot; and to which you sacrifice both your own Fortunes, and the Tranquillity of many Millions of Souls.

What then can the World, that knows the clear light of your Highnesses Elevated Understanding, imagine can be the Cause of your Revolt? Will they not be apt to conceive, that you have not espoused this Mock Religion purely for its own sake, but for some promised Dowry of an Absolute Monarchy, or Arbitrary Power, which she might pretend to bring one day with her to your Embraces? But as this is far below the Justice and Generosity of your Highness, so 'tis unworthy the thoughts of any considerate Politician. For suppose any Prince, to whom the *British* Sceptre may hereafter devolve, intoxicated with the Tinsel Glories of the *French* Monarch's bluttering Grandeur, should be so vain, as to hope to subjugate the English Liberties, and destroy the Constitution of the best Establish'd Government on Earth, by assuming to himself the whole Legislative Power, raising Money, and draining his Subjects at Pleasure without their common Consent in Parliament, &c. and should be so extravagantly enamour'd on this fatal Project (fatal I say, because for above Five hundred years it has shipwrack'd all that coasted that way,) as to be content to shift his Religion, and exchange his Faith, and turn Papist, on a presumption, that the same might facilitate and accomplish his Enterprize: As King *John*, 'tis said, resolv'd once to embrace *Mahumetism*, rather than not to be reveng'd of his Barons, claiming their just Liberties. Suppose I say all this should be, and that the present *Papists*, to get their Religion publickly establish'd,

bish'd, should *comply* with his Designs; yet ſtill is it not moſt reaſonable to believe, That having once gain'd their Point therein, they, or their *Poſterity*, will ſoon recal to mind their Birth rights and Privileges due to them as *Engliſh*-men; and will they not then be perpetually *tugging* and *ſtruglng* to regain them, whence continual diſturbance will enſue, and a *ſtanding Army* muſt be kept on foot to ſupport this ill acquired Grandeur? For thoſe Subjects that contended with King *John* and King *Henry* the Third, *&c.* tho' they were Papiſts, and of the ſame Religion with thoſe Princes, could not brook it, to be Slaves to their *Arbitrary Pleaſures* in their Civil Rights: Beſides, what a *waking dream* is it for any King, that is free from the *Roman Yoke*, to think to make himſelf more Abſolute by involving himſelf and his Kingdoms in Thraldom to the Church of *Rome*; wherein not only *the Pope* pretends a Right to domineer over him, but *every Eccleſiaſtick* eſteems himſelf wholly exempt from his Juriſdiction, and all his People will be but *half his Subjects*, *viz.* in Temporals; for in Spirituals, and *in ordine ad ſpiritualia* (a monſtrous *draw net*, that may include almoſt all the Actions of Humane Life,) they are wholly to be Conducted by his Holineſs and his Subordinate Miniſters. How therefore can your Highneſs, if a *Roman* Catholick, complain of the late ſucceſſive *Houſes of Commons* for preſſing a Bill to exclude you? Is it any Diſloyalty to endeavour to preſerve the *Imperial Crown* of *England* from a truckling and ſhameful Servitude to a Foreign Uſurper's Power? Or is it any ſuch unheard-of thing to debarr a Prince from a Throne, that hath obſtinately *diſabled* himſelf? Certainly, above all Men, the *Roman* Catholicks ought not to murmur at this; for did not the Pope iſſue forth a *Bull* to exclude *your Grandfather*, King *James*, unleſs he would turn Papiſt? And did not the *Romaniſts*, though they acknowledged the Title of your other *Grandfather*, *Henry* the Great, to the *French* Diadem; yet refuſe to pay him any Obedience, becauſe a *Proteſtant*, and on that only ſcore fought againſt him, as long as he continued ſo, and thought it no Rebellion? Your Highneſs perhaps will ſay——What though they did ſo, true Proteſtants, and the *Church of England* do not own ſuch Principles? Well then, if the Proteſtant Principles be *better* than thoſe of the Church of *Rome*, what Madneſs is it in your Highneſs to abandon the firſt, and chuſe the latter?

I am a dutiful and hearty Lover of *Monarchy*, and when eſtabliſh'd on ſuch an *Equi-poiſ'd Baſis* of Wiſdom as ours is, ſhall ever aſſert it to be the beſt Form of Government in the World, and moſt agreeable to the Genius of *Engliſh*-men: But that *lineal deſcent* is ſo ſacred a thing, that the Heir preſumptive can for no *default* or *crime* whatſoever be debarr'd from the Crown by an *Act* of Parliament, or publick Decree of State, I do not underſtand; For I am ſure the practice in *all Ages*, both at home and abroad in almoſt every Nation in the Earth, hath run contrary: And as to Right; thoſe that pretend ſuch Succeſſion in all Caſes to be *Jure Divino*, would do well to ſhew in what Texts of Scripture the ſame is preſcribed; till then, they do but *talk*, not *argue*; and if a Candidate to the Crown, for *any Reaſons* whatſoever, may without offence to the Law of God or Nature, be Excluded by an Act of King, Lords and Commons; Then the *Jure-divino*-ſhip vaniſhes, and nothing is left to be conſidered: But whether ſuch next Heir have done *ſuch Acts*, or is ſo qualified, that in Prudence it be neceſſary for the Tranquillity of the Publick to Exclude him. Now I believe there are but few of the Church of *England*, but if the Bill had paſſed the *Lords*, and his Majeſty had given his *Royal Aſſent* to it, would have acquieſc'd therein,

therein, and consequently they do not believe the Exclusion to be simply unlawful by the Law of God or Nature, for against either of them no *Humane Ordinances* ought to prevail.

But all true Loyalists do not despair, but your Highness may yet prevent all Occasions of such Disputes by opening your eyes; or rather that *God* (in whose *hands are the Hearts of Princes)* may irradiate your Royal Understanding, and let you see the horrid *Blackness* of those Men who have endeavour'd to seduce you, and of those *Principles* to which they would have inveigled you, on purpose to have made your Highness a *Property* to their *Ambition* and *Avarice*, and that under the shadow of your Illustrious Name they might one day *Tyrannize* at Pleasure over these Three Kingdoms.

If Heaven shall be pleased to work such an happy *Inclination* in your Highness, you shall presently see the whole *British Empire* echoing with Praises and *Acclamations*, and instead of murmurs of *Seclusion*, every good Subject shall erect you a *Throne* in his heart.

But the grand difficulty will be to satisfie the prejudiced World of your *sincerity* herein; for if your Highness (which God forbid) should declare your self a Protestant only to serve a present *turn*, and use the Sacred Name of *our Religion* but as an Engine to advance the design of our *bloody Enemies*, you would act at once the most dishonourably and (in the end) most *prejudicially* to your own Intereſt, in the world, and must certainly expect the *blasts* of Heaven, and *curses* of Earth on all your future proceedings as for *Hypocrisie* is odious to God and Man, nor is there any Monster so abominable to serious Men of both sides, as a *Church-Papist*.

Your Royal Highness, I hope, will excuse our *fears*, for we are not ignorant of the Arts and Craft of *Rome*, that she esteems *no means unlawful* to obtain her *ends*. How shall any *Oaths* be sufficient Tests, when a private *dispensation* may at once allow the *taking*, and warrant the *breaking* of them? Or what signifies the participation of our *Sacraments* to one that is taught, We have no true *Ministers* of Christ; if so, no *consecration*, consequently nothing but an *ordinary Breakfast* of common *Bread and Wine*, and who shall lose the hopes of three Crowns rather than not taste such harmless *viands*? Not that I dare imagine your Highnesses Understanding would suffer you to believe the *lawfulness*, or your *Princely Generosity* permit you to practise these lewd *dissimulations*; yet since *such Doctrines* are daily taught in the *Roman* Church, how shall Protestants be assured they have no Influence on your Conduct? I must therefore with all humble freedom assure your Highness, that after so general an Opinion of your Highnesses having been a *Roman* Catholick, though you should go never so duly to Church, receive the Sacrament a *thousand times*, and take *Oaths* all the way from *Holy-rood* House to St. *James's*, yet the People would scarce *believe* the reality of your Conversion, unless withal they see it accompanied with some other *Demonstrations*. For as *Faith* without works is dead, so Profession of a Religion, without agreeable endeavours to advance it will be vain. If his Royal Highness, will the People say, be a *good Protestant*, he will undoubtedly discourage *all Papists*, the sworn inveterate Enemies of our Religion, he will not suffer a Popish Priest to approach his Person or Palace. If he *have had* any intimation of any ill designs, if any have been tampering to reconcile him to *Popery* (which is no less than *Treason*) he will presently detect those *mischievous Instruments*, that they may be brought to condign Punishment, and applaud the *Justice* that has been done on *Coleman*, the five Jesuits,

Suits, *Godfrey's* Murderers, *&c.* thereby ſtopping the Mouths of that brazen Tribe who would make the World believe they died *innocently*. He will declare againſt all *Arbitrary* Deſigns, deteſt thoſe who by *ſneaking flatteries* would undermine the ancient and moſt wiſe Conſtitution of our Government. He will heartily recommend *Parliaments* to his *Sacred Brother* as the wiſeſt and *ſafeſt* Councils; and even *thank* the late *Houſes of Commons* for their *zeal* againſt him, whilſt they apprehended him as an *Enemy* to his King, and the Religion and ſafety of the Kingdom. He will vigorouſly by his Counſels and Intereſts oppoſe the growing greatneſs of the *French*, which at this day threatens all *Europe* with *Chains*, and immediately tends not only to the decay of *Great Britains* Trade and Glory, but alſo to the diminution, *oppreſſion*, and (if it lay in humane Power) utter *ſubverſion* of the *Reformed Religion* throughout the World.

Theſe and the like *Noble Fruits*, will the People not unreaſonably expect from your *R. H.* when ever you ſhall pleaſe to declare your ſelf a Proteſtant; which that you may ſpeedily do, not Politickly or *Superficially*, but with that *ſincerity*, as ſo ſerious a matter (of infinite more *value* than the Three Crowns you are Preſumptive Heir to) is the *Prayer* of all good Men, and particularly of

Your Royal Highneſs's

Moſt Humble and

Faithful Servant,

Philanax Verax.

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